REMARKS

Claims 1, 2 and 4-20 are pending.

In the office action mailed January 11, 2007, claims 1, 2 and 4-20 were rejected under 35 U.S.C. §102(e) in paragraph 3 as being anticipated by U.S. pre-grant publication 2004/0246902 by Leonetti. As it turns out, pre-grant publication 2004/0246902 is ***not*** by Leonetti; it is by Weinstein et al.

The "Notice of References Cited" attached to the office action identifies Leonetti as being U.S. patent number 6,771,951. A comparison of the '951 patent to the Examiner's remarks in the office action shows that paragraph 3 of the office action appears to contain a typographical. The columns and line numbers cited by the Examiner in the office action appear to refer to U.S. patent number 6,771,951. The following Remarks are therefore directed to the '951 patent and *not* to U.S. pre-grant publication 2004/0246902.

As the Examiner knows, in order to properly reject a claim under any section of 35 U.S.C. §102 as being anticipated by a prior art reference, the prior art reference that allegedly anticipates a claim must show each and every claim limitation. In order words, *Leonetti* must show each and every limitation, of every claim.

Claim 1 is an apparatus claim directed to a mobile node portion of a radio communication system. The first limitation of claim 1 recites a "*hash* generator." (Emphasis added) The "hash generator" of claim 1 is recited as "forming *hash values*," from a copy of a database that is resident in the mobile node. (Emphasis added.) Claim 15 is a method claim. Paraphrased, the first step of claim 15 recites the step of "sending… *hash information*…to the network part" of a radio communication system. (Emphasis added.)

Leonetti is directed to a method of synchronizing databases, however, the method disclosed and claimed by *Leonetti* uses a "checksum." A checksum is *not* a hash value. They are different from each other and none of the words hash, hash code or hash value, even *appear* in *Leonetti*.

The Microsoft Computer Dictionary, 4th Edition, defines checksum as "a calculated value…used to test data for the presence of errors. [A] checksum is calculated…*by sequentially combining*…bytes of data with a series of arithmetic or logical operations. (Emphasis added.)

The same dictionary defines "hash coding" by referring to the definition of the verb, "hash," which is defined to mean, "mapped to a numerical value *by a transformation* known as a hashing function." (Emphasis added.)

A "hash code" or "hash value" is created by a hash function, which is a reproducible method or algorithm by which a large quantity of data is represented by a relatively small number that may serve as a digital fingerprint of the data. A "checksum" is a much simpler way to protect the integrity of data. A checksum is calculated by adding up data components.

The U.S. Patent Office itself considers a "checksum" to be patentably distinct from a "hash value" as demonstrated by the allowance of claims 17 and 19 of U.S. patent 5,864,837.

The text of the '837 patent clearly discusses a "checksum" as being different from a "hash code" or hash value. More importantly, dependent claims 17 and 19 of the '837 patent are identical, except for the fact that claim 17 claims two "unique numbers" as being a "checksum" whereas claim 19 claims two "unique numbers" as being a "hash code."

Under the judicial doctrine of claim differentiation, the U.S. Patent Office's issuance of one claim to "checksums" and a separate claim to "hash code," *in the same patent,* demonstrates that the USPTO considers a "checksum" to be patentably distinct from a "hash code" or "hash value."

Since the pending claims require the computation of a "hash value" whereas *Leonetti* teaches the computation of a "checksum," it was improper for the Examiner to have rejected the claims under §102 because of *Leonetti.* As set forth above, the word "hash" does not even appear in *Leonetti*.

Even though the Examiner's rejections under *Leonetti* was improper, claims 1 and 15 have been amended to further differentiate and distinguish the applicant's claims from *Leonetti*. Paraphrased, amended claims 1 and 15 require a hash generator to generate a hash value when the network-copy and the mobile copy are suspected of being out of synchronization with each other. Support for, and explanation of the claim amendments, can be found on page 5, lines 7 – 17 and on page 12, lines 25-31. No new matter has been added.

Unlike the pending amended claims, which require a *hash value* to be calculated only when the network-copy and the mobile copy are suspected of being out of synchronization with

each other, *Leonetti* requires that a *checksum* be calculated *on every phone call* that is either made to, or placed by the mobile unit.

In column 2, lines 27-30, *Leonetti* states that the database within a mobile terminal is interrogated "during the initial phase of a…telephone call." In column 4, lines 6-10, *Leonetti* states that the personal database is "an undirected act" that occurs during operation of the cellular device. In column 6, lines 1-6, *Leonetti* states that interrogation and securing is an act that is "undirected" by the subscriber and that it occurs during operation of the mobile device. Claim 1 of *Leonetti* recites that the personal database information is interrogated "during an initial phase of …a telephone call." Thus, *Leonetti* teaches that a checksum is calculate for every call.

The applicant contends that the rejection of claims 1, 2 and 4-20 as being anticipated by *Leonetti* was improper for reasons set forth above. Even *if* the rejections were proper, the amendments made to claims 1 and 15 by this amendment, traverse the claim rejections and place all of the claims in condition for allowance. Reconsideration of the claims is therefore respectfully requested.

Respectfully submitted,

/Robert H. Kelly/

Robert H. Kelly
Registration No. 33,922

SCHEEF & STONE, L.L.P.
5956 Sherry Lane, Suite 1400
Dallas, Texas 75225
Telephone: (214) 706-4201
Fax: (214) 706-4242
robert.kelly@scheefandstone.com